

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
FORSELL

Serial No. 10/522,540

Filed: August 22, 2005

For: DURABLE IMPLANT

Atty. Ref.: RAM-2333-135

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Examiner: Prone, Christopher D.

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July 26, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the patent documents listed on the attached form PTO/SB/08a, which were submitted by the Applicant and/or cited by an Examiner in one or more of the following U.S. patents and pending U.S. patent applications:

USSN 10/623,801, (MM/SC),
USSN 10/522,538, (MM/SC),
USSN 10/543,681, now Patent No. 7,207,936 (SC),
USSN 10/543,684, now Patent No. 7,371,208 (SC),
USSN 11/889,756, (MM/SC),

Because the present application has, with regard to the above-identified applications and patents, a common inventor and some overlapping subject matter, to wit, subject matter relating in some regard to a multi-material device with separate cells, the patent documents listed on the attached Form PTO/SB/08a, are being submitted in this application out of an abundance of caution, to the extent such patent documents have not

already been submitted in this application. Such patent documents were either cited by the Examiner or submitted by the Applicant in this and/or such other applications of Applicant including the multi-material device with separate cells features. The presence of the multi-material and separate cells features are indicated above for each of the patents or patent applications identified above by the labels "MM" and "SC", respectively. Also listed on the attached form PTO/SB/08a are the patent numbers or the patent application publication numbers for the patents and patent applications identified above. Copies of all non-U.S. documents and literature references are also attached.

Copies of any Office Actions issued by Examiners in the above-identified applications and patents or of any search or examination reports in PCT or non-U.S. applications corresponding to the above-identified applications and patents have not been listed on the attached Form PTO/SB/08a or submitted with this Information Disclosure Statement. The Examiner's attention is directed to the USPTO Image File Wrappers for the patents and patent applications identified above as containing copies of any search reports, examination reports or office actions submitted in such patents or patent applications. **If the Examiner wishes to have separate copies of any or all of this information, the Examiner is urged to contact the undersigned at the telephone number listed below, so that any such information desired by the Examiner can be provided.**

The undersigned attorney of record hereby certifies under 367 C.F.R. § 1.97(c) that each item of information referenced herein and attached was first cited in any communication from the European Patent office in a counterpart European Application not more than three months ago prior to the filing of this Information Disclosure Statement.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a document is relevant merely because cited.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached patent documents have been considered and made of record.

FORSELL
Serial No. 10/522,540

Because a Request for Continued Examination is being filed with this Information Disclosure Statement so that this Information Disclosure Statement will be considered by the Examiner, it is believed that no fee for filing this Information Disclosure Statement is due at this time. However, the Commissioner is hereby authorized to charge any deficiency in the fee that may be due to the deposit account of Nixon & Vanderhye, Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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